

MINUTES  
TIGARD CITY COUNCIL MEETING  
June 25, 2002

Mayor Griffith called the meeting to order at 6:06 p.m.

Council Present: Mayor Griffith; Councilors Dirksen, Moore, Patton, and Scheckla (6:11 p.m.).

EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:06 p.m. to discuss labor negotiations and current and potential litigation and under ORS 192.660(1d) and (1h).

Executive Session adjourned 6:25 p.m.

STUDY SESSION:

- ADMINISTRATIVE ITEMS:

- The Council indicated it did not wish to review Council Groundrules at this time.
- Update on Skateboard Park Facility was deleted from the agenda. Council received an update on June 18, 2002.

- DISCUSSION OF 69<sup>TH</sup> AVENUE LOCAL IMPROVEMENT DISTRICT (LID) BOND

Finance Director Craig Prosser relayed only U.S. Bank was interested in providing financing for the \$1.3 million in assessments with 20-year financing and a prepayment option. He explained in today's market, banks didn't want to lend for such an extended time period. Specht Development, the majority property owner in the LID, has indicated they require the 20-year financing, despite the fact more favorable rates could be obtained if the life of the bonds was shortened. With an initial rate of 6.25 percent from the bank, and an additional 1.5 percent for City costs to administer the financing, the rate to property owners will be about 8.75 percent. Twelve property owners are involved in the LID; two have claimed financial hardship. One of these property owners is taking advantage of a senior assessment program through the State. There was a brief discussion of how financial arrangements with future LID participants would be handled.

- DISCUSS DESIGN/BUILD & TRADITIONAL CONSTRUCTION PROCESS FOR THE LIBRARY

City Engineer Gus Duenas described the types of project delivery methods being considered for construction of the new library. A memo and a Construction Procurement Strategy Analysis and Recommendation from Mr. Duenas was included in the Council packet and is on file in the City Recorder's office. Mr. Duenas stated the Construction Manager/General Contractor method was the method he preferred. He relayed this method would add reality to the design, offer a more collaborative working atmosphere, and would enable the City to know the project's maximum cost earlier in the process than the other methods. He added this method was best suited to completing the project under budget and on time, and the method had been used with similar projects in the area. Mr. Duenas added this method would not eliminate the need for an owner's representative.

Mr. Duenas explained using the Construction Manager/General Contractor method would require 14-day notice and a public hearing. The Council concurred with Mr. Duenas' recommendation. He indicated he would schedule the hearing and formal action for the July 23 Council meeting.

- ADMINISTRATIVE ITEMS:

- City Manager Monahan briefed the Council on a possible visitor's agenda topic – neighbors blocking off a cul-de-sac for a fireworks party.
- City Manager Monahan distributed a Memorandum of Understanding Addendum No. 1 (work plan) with the Government of Kota Samarinda, Indonesia for the International Resource Cities Program. He briefed the Council on the Indonesian delegation's visit and the upcoming reception.

Meeting recessed at 7:00 p.m. in order for the Council to attend a reception with the Indonesian delegation.

Meeting reconvened at 7:32 p.m.

1. BUSINESS MEETING

- 1.1 The meeting of the Tigard City Council & Local Contract Review Board was called to order by Mayor Griffith at 7:32 p.m.
- 1.2 Council Present: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports – None
- 1.5 Call to Council and Staff for Non-Agenda Items

City Manager Bill Monahan stated item number seven had been removed from the agenda, as the Council had heard information on this topic at a recent meeting.

*Note: Item 2 was heard after item 3*

2. SWEAR IN POLICE CAPTAIN

- Alan Orr, newly hired Police Captain, was introduced and sworn-in by Police Chief Ron Goodpaster.

3. INTRODUCE INDONESIAN DELEGATION AND SIGN WORKPLAN (MEMORANDUM OF UNDERSTANDING)

City Manager Bill Monahan described the International Resource Cities Program. He introduced the five Indonesian visitors in attendance: Mochdar Hasan, Ali Fitri Noor, Rusman Yakub, Rosita Hafiedz, and Sopialena, a representative from the ICMA. Risk Manager Loreen Mills detailed the highlights of the Memorandum of Understanding (MOU). Mr. Yakub, Mr. Monahan, and Mayor Griffith signed the MOU. Mr. Hasan, on behalf of the Samarinda local government, expressed his thanks.

*Note: Item 2 was heard at this time*

4. VISITOR'S AGENDA

- Chris Garsteck, 11774 SW 125<sup>th</sup> Court, Tigard – Ms. Garsteck spoke in favor of the Summerlake Master Plan and advocated for the proposed dog park.

- Michelle Sittel, 17085 SW Eldorado, Tigard – Ms. Sittel also spoke in favor of the Summerlake Master Plan and the proposed dog park.

## 5. CONSENT AGENDA:

Motion by Councilor Dirksen, seconded by Councilor Scheckla, to approve the Consent Agenda as follows:

- 5.1 Receive and File: Canvass of Votes for Measure 34-47, Relating to the Election on May 21, 2002
- 5.2 Authorize the Issuance of a Limited Tax Improvement Bond for the 69<sup>th</sup> Avenue Local Improvement District – Resolution No. 02-39
- 5.3 Reappoint Mike Benner to the Budget Committee and Appoint Tom Woodruff as Alternate to the Budget Committee; Reappoint Jane Smith to the Library Board and Appoint Suzan Turley as Alternate to the Library Board – Resolution No. 02-40

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

Jane Smith, newly appointed Library Board member, and Tom Woodruff, newly appointed alternate to the Budget Committee, were in the audience and were recognized by the Council.

## 6. CONSIDER AN ORDINANCE APPROVING THE AT&T MERGER WITH COMCAST

- a. Assistant to the City Manager Liz Newton previewed the staff report and reminded the Council that this item had been discussed at an earlier meeting. She added the Metropolitan Area Communications Commission recommended passage of the ordinance and Tigard was the last jurisdiction to consider the merger. Councilor Scheckla, who serves on the Commission, indicated that all issues surrounding the merger had been resolved.

- b. Motion by Councilor Scheckla, seconded by Councilor Dirksen, to adopt Ordinance No. 02-24.

ORDINANCE NO. 02-24 – AN ORDINANCE CONSENTING, WITH CONDITIONS, TO THE CHANGE OF CONTROL OF AT&T CORP., THE INDIRECT PARENT COMPANY OF TCI CABLEVISION OF TUALATIN VALLEY, INC. AND DECLARING AN EMERGENCY

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

## 7. UPDATE ON THE SKATEBOARD PARK FACILITY

*Note: Item #7 was removed from the agenda*

## 8. ACCEPT BONITA PARK MASTER PLAN AND SELECT A NAME FOR THE PARK

- a. Parks Manager Dan Plaza introduced this item and gave a PowerPoint presentation. His staff report and presentation are on file in the City Recorder's office.
- b. A discussion occurred whereby Mr. Plaza stated temporary restroom facilities could be put in prior to the installation of more sophisticated restroom facilities.

- c. Motion by Councilor Moore, seconded by Councilor Patton, to accept the Master Plan.

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

- d. Motion by Councilor Moore, seconded by Councilor Patton, to name the new park located at Bonita and Milton Court "Bonita Park."

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

## 9. ACCEPT SUMMERLAKE MASTER PLAN

- a. Parks Manager Dan Plaza introduced this item and gave a PowerPoint presentation. Mr. Plaza described the proposed features and development projects in the west, central and east sections of the park. His staff report and presentation are on file in the City Recorder's office.
- b. Discussion of new parking spaces ensued. Mayor Griffith commented he liked the new parking space location because the off-street parking provided safer access to the children's play area.

Councilor Dirksen noted the north side of the park was not addressed in the Master Plan. Mr. Plaza indicated an additional Master Plan would be needed to address this area.

- c. Motion by Councilor Dirksen, seconded by Councilor Patton, to approve the Summerlake Master Plan as presented.

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

10. PUBLIC HEARING (LEGISLATIVE) – CULTURAL INSTITUTION ZONE ORDINANCE AMENDMENT (ZOA2002-00002)

**REQUEST:** A request to amend Table 18.510.1 of the Tigard Development Code to allow cultural Institutions to be allowed as a conditional use within the R-12 zoning district. **LOCATION:** Citywide. **ZONE:** N/A. **APPLICABLE REVIEW CRITERIA:** Statewide Planning Goals 1, 8, 9, 10 and 11; Comprehensive Plan Policies 1.1.1, 2.1.1, 2.1.2, 2.1.3, 5.1 and 12.4.1; and Community Development Code Chapters 18.380, 18.390 and 18.510.

- a. Mayor Griffith opened the public hearing.
- b. Associate Planner Brad Kilby presented the staff report. He noted the Planning Commission unanimously approved the recommendation to conditionally permit cultural institutions within R-12 zoning. He added surrounding jurisdictions permit similar buildings within residential zones. Mr. Kilby provided the definition of a cultural institution, "Public or non-profit cultural facilities including libraries, museums, and galleries," from Tigard Development Code Chapter 18.130.
- c. Public Testimony: None.
- d. Staff recommended the Council adopt the proposed ordinance.
- e. Mayor Griffith closed the public hearing.

- f. Motion by Councilor Patton, seconded by Councilor Moore, to adopt Ordinance No. 02-25

ORDINANCE NO. 02-25 – A ZONE ORDINANCE AMENDMENT (ZOA2002-00002) TO AMEND THE LANGUAGE OF THE TIGARD COMMUNITY DEVELOPMENT CODE CHAPTER 18.510 (TABLE 18.510.1) TO CONDITIONALLY PERMIT CULTURAL INSTITUTIONS IN THE R-12 ZONING DISTRICT

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

11. CONSIDER AN AMENDMENT TO THE CURRENT WATER RATE SCHEDULE AND ADOPT A THREE-YEAR RATE SCHEDULE THAT REFLECTS THE INCREASES ASSOCIATED WITH PROVIDING WATER SERVICE

- a. Utility Manager Dennis Koellermeier introduced this item and gave a PowerPoint presentation. His staff report and presentation are on file in the City Recorder's office. The proposed increases were as follows: 10 percent in 2002, 6 percent in 2003, and 6 percent in 2004.
- b. Mayor Griffith clarified these rate increases are the result of increases in the cost of water purchased by the City. Councilor Patton, who serves on the Intergovernmental Water Board, stated the Board agreed with the staggered methodology of the increase. A discussion regarding the accelerated construction of the City's water reservoir on the Alberta Rider school property and its impact on existing capital improvement projects and the reserve account ensued.

It was noted the multi-family rates listed on Exhibit A of the Fees and Charges Schedule were in error.

Councilor Patton stated the cost for water and water service was going to be very expensive in the coming years.



- c. Motion by Councilor Patton, seconded by Councilor Dirksen, to adopt Resolution No. 02-41

RESOLUTION NO. 02-41 – A RESOLUTION AMENDING RESOLUTION 02-06 BY AMENDING EXHIBIT A THERETO AND INCREASING CERTAIN CHARGES IMPOSED FOR WATER

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

*Recorder's Note: Incorrect multi-family rates (noted in discussion above) on Exhibit A, Fees and Charges Schedule, were corrected to reflect the appropriate percentage increases on the final document.*

12. PUBLIC HEARING (INFORMATIONAL) TO CONSIDER ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 24 – SW GAARDE STREET

- a. Mayor Griffith opened the public hearing.
- b. Project Engineer Greg Berry summarized this item and gave a PowerPoint presentation. His staff report and presentation are on file in the City Recorder's office. Since the size of the lots vary greatly, Mr. Berry proposed the cost of the project be divided proportionately among property owners. He continued by describing the highlights of incentive plan. He indicated this project needs to be completed in advance of upcoming street improvements.
- c. Public Testimony: None.
- d. Staff recommended the Council adopt the proposed resolution.
- e. Mayor Griffith closed the public hearing.

- f. Motion by Councilor Moore, seconded by Councilor Patton, to adopt Resolution No. 02-42

RESOLUTION NO. 02-42 – A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 24 (GAARDE STREET)

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

13. PUBLIC HEARING (INFORMATIONAL) TO CONSIDER ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 26 – SW 121<sup>ST</sup> AVENUE SOUTH OF ROSE VISTA DRIVE

- a. Mayor Griffith opened the public hearing.
- b. Project Engineer Greg Berry summarized this item and gave a PowerPoint presentation. His staff report and presentation are on file in the City Recorder's office. He indicated this project needs to be completed in advance of upcoming street improvements. Councilor Patton clarified that since the estimated cost per owner was in excess of \$15,000, each owner's portion would be \$8,280 if they connect within three years. Other connection and inspection fees would also apply.

- c. Public Testimony: None.

Mr. Berry noted he had spoken to the individual who had signed the testimony sheet and had answered her questions.

- d. Staff recommended the Council adopt the proposed resolution.
- e. Mayor Griffith closed the public hearing.

- f. Motion by Councilor Moore, seconded by Councilor Dirksen, to adopt Resolution No. 02-43

RESOLUTION NO. 02-43 – A RESOLUTION ESTABLISHING  
SANITARY SEWER REIMBURSEMENT DISTRICT NO. 26 (SW 121<sup>ST</sup>  
SOUTH OF ROSE VISTA DRIVE)

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

14. PUBLIC HEARING – CONSIDER PROPOSED ASSESSMENT INCREASE FOR THE  
METZGER PARK LOCAL IMPROVEMENT DISTRICT (LID)

- a. Mayor Griffith opened the public hearing.
- b. City Manager Bill Monahan explained Washington County had requested the Council consider this item. Metzger Park Local Improvement District was formed in 1977. Since that time, nearly half of the area has been annexed into the City of Tigard. As a result, the proposed increase must be approved by the City and the County. Mr. Monahan explained the proposed increase was from \$.104 per \$1,000 assessed value to \$.156 per \$1,000 assessed value. The increase would result in a \$30,000 overall increase.

Mr. Monahan introduced Washington County Facilities Manager Larry Eisenberg. Mr. Eisenberg talked about the rationale for the increase and how the funds would be allocated. He stated the increase would provide for the long-term stability of the park and would enable the County to prepare for the future needs of the park.

- c. Public Testimony

Michael Donovan, 8080 SW Larch Street, Tigard – Mr. Donovan, Chairperson of the Metzger Park Advisory Board, spoke in support of the increase. Mr. Donovan described a new play structure and some of the activities that take place at the park. He stated the park funds were managed

judiciously and it was prudent to plan for the future. He noted that out of 2,500 notifications, only four remonstrances were received.

Mayor Griffith inquired if Chris Wayland of Washington County Parks wished to comment. Mr. Wayland indicated he was on-hand to answer any questions the Council might have.

A brief discussion of how the LID was managed with other jurisdictions ensued.

- d. Staff recommended the Council adopt the proposed resolution.
- e. Mayor Griffith closed the public hearing.
- f. Motion by Councilor Scheckla, seconded by Councilor Dirksen, to adopt Resolution No. 02-44

RESOLUTION NO. 02-44 – A RESOLUTION OF THE CITY OF TIGARD APPROVING AN INCREASE IN THE LOCAL IMPROVEMENT DISTRICT (LID) ASSESSMENT FOR THE OPERATION AND MAINTENANCE OF METZGER PARK

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

## 15. COUNCIL LIAISON REPORTS

Councilor Dirksen reported the next Commuter Rail meeting was scheduled for Thursday at 6:30 p.m. in Town Hall.

Councilor Patton reported she would be attending a regional water meeting regarding the proposed Bull Run Drinking Water Agency on Thursday.

## 16. NON AGENDA ITEMS

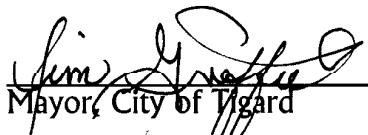
Councilor Dirksen suggested the Council respond to an NLC Action Alert regarding a proposed bill that would pre-empt state and local laws on collective bargaining for public safety employees. Council agreed a letter of opposition would be appropriate. Mr. Monahan stated he would draft the letter for the Mayor's signature.

17. EXECUTIVE SESSION: No Executive Session was held.

18. ADJOURNMENT: 9:15 p.m.

Attest:

  
Greer A. Gaston, Deputy City Recorder

  
Mayor, City of Tigard  
Date: August 13, 2002

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